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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSIE JASMINE ALEJANDRE,

Defendant and Appellant.

2d Crim. No. B214204
(Super. Ct. No. 1227475)
(Santa Barbara County)

Josie Jasmine Alejandre appeals an order terminating her Proposition 36 probation, imposing and suspending a three-year state prison term, and reinstating her on non-Proposition 36 probation with various terms and conditions.

On April 3, 2007, appellant was a passenger in a car when she was contacted by the police and arrested for being under the influence. When appellant was searched incident to her arrest, a bundle of methamphetamine was found concealed in her bra. She was subsequently charged with possessing methamphetamine (Health & Saf. Code, § 11377, subd. (a)) and pled no contest. Imposition of a three-year state prison sentence was suspended and she was placed on Proposition 36 probation. She was also ordered to report to a residential treatment program.

On May 12, 2007, appellant's probation was violated after she failed a drug test. Over the next 19 months, she was charged with an admitted eight more violations of her probation. On January 22, 2009, the court suspended criminal proceedings and

committed appellant to the Department of Corrections and Rehabilitation for a 90-day diagnostic evaluation in accordance with Penal Code section 1203.03. On July 2, 2009, the court terminated appellant's Proposition 36 probation and imposed and suspended a three-year prison term. Probation was reinstated on a non-Proposition 36 basis, subject to the condition that appellant participate in a dual diagnosis residential treatment program.

We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, he filed an opening brief in which no issues were raised.

On October 26, 2009, we advised appellant that she had 30 days within which to personally submit a letter brief identifying any contentions or issues she wished us to consider. She did not respond.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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PERREN, J.

We concur:

YEGAN, Acting P.J.

COFFEE, J.

Rogelio Flores, Judge
Superior Court County of Santa Barbara

California Appellate Project, Jonathan B. Steiner, Executive Director,
Richard B. Lennon, Staff Attorney, under appointment by the Court of Appeal, for
Appellant.

No appearance for Respondent.